

REMARKS

Applicant is in receipt of the Office Action mailed October 7, 2003. Claims 5-38 were rejected. Claims 30 and 32 have been amended. Claims 5-38 remain pending in the application.

Claims 5-18 and 21-38 were rejected under 35 U.S.C. §102(e) as being anticipated by Rossmann (U.S. Patent No. 5,809,415). The Office Action rejected claims 19 and 20 under 35 U.S.C. § 103(a) as being unpatentable over Rossmann in view of Razavi et al. (U.S. Patent No. 6,253,122), hereinafter "Razavi." Applicant respectfully traverses these rejections in light of the following remarks.

Applicant can find no language in Rossmann which teaches or suggests a "small footprint device communicating with a service accessible from the first network to send information to the service accessible from the first network" and "the service accessible from the first network **storing the information,**" as recited in Applicant's claim 5. Rossmann teaches *a server processing a message from a client module* on the two-way data communication device and transmitting a response back to the two-way data communication device. The *communication device* in turn stores the response in memory. (col. 4, lines 30 – 47)

Applicant thus submits that claim 5 is patentable over Rossmann. Dependent claims 6-21 are also believed allowable for at least this reason. Independent claims 22, 30, 37 and 38, as well as their respective dependent claims, are also believed allowable for at least this reason.

Furthermore, Applicant can find no language in Rossmann which teaches or suggests "**a service accessible from a second network receiving the information from the service accessible from the first network,**" "the service accessible from the second network **generating content based on the information,**" and "the service accessible from the second network communicating with the small footprint device to send the content to the small footprint device," as recited in Applicant's claim 5. Applicant notes

that Rossmann does teach that a response to a message may be redirected (col. 11, lines 51 – 54). However, Applicant can find no language in Rossmann that teaches or suggests that such a redirected response may include the “stored information” of claim 5. Furthermore, even if, *arguendo*, the redirected response to a message is assumed to contain said information, *Rossmann does not teach or suggest that content may be generated from such a redirected response or communicated to the small footprint device.*

Applicant thus submits that claim 5 is patentable over Rossmann for these further reasons. Dependent claims 6-21 are also believed allowable for at least these further reasons, as are independent claims 22, 37 and 38, as well as their respective dependent claims.

In addition, dependent claims 6-21 include additional elements not taught or suggested by Rossmann. Regarding claim 13, for example, the Office Action argued that Rossmann discloses “the service accessible from the second network generating personalized advertising content based on the information regarding the user of the small footprint device.” at Fig. 4, col. 15 line 36 to col. 16 line 63, and col. 18 line 5 to col. 19 line 41. Applicant respectfully disagrees. At the cited locations, Rossmann does not teach or suggest a service “**generating personalized advertising** content based on the information regarding the user of the small footprint device.”

Regarding claim 16, the Office Action argued that Rossmann discloses “the small footprint device communicating with the service accessible from the second network to send information specifying a store in which a user of the small footprint device is currently located; wherein the service accessible from the second network generates the content based on the information and based on the store in which the user is currently located” at col. 17 lines 7-55 and col. 18 line 11 to col. 19 line 41. Applicant respectfully disagrees. At the cited locations, Rossmann does not teach or suggest sending “**information specifying a store in which a user of the small footprint device is currently located.**”

Regarding claim 17, the Office Action argued that Rossmann discloses “wherein said service accessible from the second network generating content based on the data comprises the service accessible from the second network generating advertising content based on the data” at col. 17 lines 7-55 and col. 18 line 11 to col. 19 line 41. Applicant respectfully disagrees. At the cited locations, Rossmann does not teach or suggest a service “**generating advertising content based on the data.**”

For at least the reasons discussed above, Applicant submits that Rossmann does not teach or suggest Applicant’s remaining claims because the remaining claims are similar to or provide additional limitations to the claims discussed above.

Based on the above remarks, Applicant asserts that Rossmann and Razavi do not teach or suggest Applicant’s claimed invention as recited in claims 5-38. Therefore, claims 5-38 are patentable over Rossmann and Razavi. Applicant respectfully requests withdrawal of the Section 102(e) and 103(a) rejections of claims 5-38.

CONCLUSION

In light of the foregoing amendments and remarks, Applicant submits the application is now in condition for allowance, and an early notice to that effect is requested.

The Commissioner is authorized to charge any fees which may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzl, P.C., Deposit Account No. 50-1505/5181-29600/BNK.

Respectfully submitted,



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